

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA
CEDAR RAPIDS DIVISION

BILLY D. FRAZIER, IV,

Plaintiff,

vs.

FEDERAL BUREAU OF PRISONS, et
al.,

Defendants.

No. 14cv32 EJM

ORDER

This matter is before the court on the plaintiff's Application to Proceed in Forma Pauperis, filed March 7, 2014. Application Deferred.

In this action pursuant to 42 USC §1983, plaintiff, who was for a time confined in the Department of Correctional Services, Cedar Rapids, Iowa, asserts that he has been denied his constitutional rights. Jurisdiction is under 28 USC §1331.

Plaintiff, who was a prisoner at the time of Application, has not submitted the appropriate certificate of trust fund account statement signed by an officer of the corrections facility in compliance with 28 USC §1915. The certificate in the record is unsigned.

From the Application, it appears that plaintiff was due to be discharged on March 30, 2014. The court has no information on plaintiff's present status, which plaintiff must clarify. If, upon clarification, plaintiff remains a prisoner, then his IFP Application must contain his affidavit plus a certificate signed by a corrections facility officer, in accordance


with 28 U.S.C. §1915. If plaintiff is no longer a prisoner, and seeks IFP status, then he need produce only his affidavit. Martinez v. Kristi Kleaners, 364 F.3d 1305 (11th Cir. 2004.)

It is therefore

ORDERED

Dismissed unless plaintiff files a supplemental Application to Proceed in Forma Pauperis in accordance herewith, by not later than Friday, May 23, 2014.

April 3, 2014



Edward J. McManus, Judge
UNITED STATES DISTRICT COURT